

CDR ✓ 8/8/17

Wetlands Applications Decision Report

Decisions Taken
07/31/2017 to 08/06/2017

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

07/31/2017 to 08/06/2017

MAJOR IMPACT PROJECT

2017-00867

BOW, TOWN OF

BOW WHITE BROOK

Requested Action:

Dredge and fill 2,483 square feet of scrub shrub wetlands and within the bed and banks of White Brook (Tier 3) impacting 120 linear feet (which includes 2,262 square feet and 68 linear feet of temporary impacts) to replace an existing 13 foot wide by 6.5 foot high corrugated metal pipe arch culvert with a 26 foot wide by 33 foot long bridge span.

APPROVE PERMIT

Dredge and fill 2,483 square feet of scrub shrub wetlands and within the bed and banks of White Brook (Tier 3) impacting 120 linear feet (which includes 2,262 square feet and 68 linear feet of temporary impacts) to replace an existing 13 foot wide by 6.5 foot high corrugated metal pipe arch culvert with a 26 foot wide by 33 foot long bridge span.

With Conditions:

1. All work shall be in accordance with plans by Dubois and King, Inc. titled NHDOT Project No. 24225, Birchdale Road Bridge Replacement Over White Brook dated June 2017 as received by the Department on July 12, 2017.
2. This permit is contingent on review and approval, by the DES Wetlands bureau, of a final erosion control and stream diversion plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans shall depict all siltation/erosion/turbidity control measures implemented and dewatering locations.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
5. Work within the stream, inclusive of work associated with temporary diversion, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Areas of temporary impact shall be restored to original conditions following the completion of work.
15. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap. Stream bed materials shall be consistent in size and gradation with the undisturbed channel bottom in the immediate reference reach.
16. The stream bed shall be graded to maintain depths and sinuosity consistent with the reference reach during low-flow conditions.

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17. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
19. Faulty equipment shall be repaired prior to construction.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
25. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a Major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a). The stream has a watershed size of 1.71 square miles which meets Tier 3 stream crossing criteria per Env-Wt 904.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge was constructed in 1950 and is currently closed because of significant section loss. The bridge is on the NHDOT Municipal 'Red List' due to its deficiencies and condition.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed structure has been designed to accommodate the 100-year design storm event and includes a natural streambed restoration to improve aquatic organism passage.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing stream crossing structure is 13 feet wide by 6.5 feet high corrugated metal pipe arch culvert. The proposed replacement structure is a 26 foot span x 33 feet long with a 7 foot 2 inch rise.
6. The State of New Hampshire Regional Hydraulic Geometry Curve (2005) was used to estimate a channel width of 23 feet for the crossing location. The project engineer has reviewed the site reference reach and indicated the bankfull width is 20 feet. The stream is classified as Rosgen Type E.
7. An Alternative Design request was submitted by the applicant per Env-Wt 904.09. The agent has calculated the required span to be 26 feet (bankfull width 20 feet x 1.2 plus two). The applicant has provided an assessment of the geomorphic compatibility of the stream crossing based on the NH Stream Crossing Guidelines, University of New Hampshire (May 2009).
8. A Hydrologic and Hydraulic Analysis for the Proposed Birchdale Road Bridge Replacement over White Brook indicated the existing culvert structure does not accommodate the 50-year design storm event. The proposed span structure will accommodate the 100-year frequency storm event.
9. The proposed project was determined to be located in wetland areas #55 and #56 which have been designated as Prime Wetlands in the Town of Bow under RSA 482-A:15. The applicant has addressed Administrative Rules Env-Wt 703.01 and 703.02 permit criteria for approval and compensatory mitigation. The proposed impacts are not anticipated to have an adverse impact on any of the designated functions.
10. The New Hampshire Natural Heritage Bureau (NH-NHB) datacheck results letter indicated there is a drainage marsh-shrub-swamp system located in the vicinity per letter dated 12/14/16. The NH-NHB has reviewed the proposed project and determined that maintaining or providing a small to moderate improvement to the current hydrology should be sufficient.
11. Compensatory mitigation was not required for the project as it was determined to be self-mitigating. The proposed design will improve hydraulic capacity, will provide overall reduced velocity with the new structure size, and incorporates simulated stream bottom through the structure for improved aquatic organism passage. The proposed project will maintain water elevation comparable with the existing conditions and is not anticipated to affect the associated drainage marsh-shrub-swamp system per NH-NHB review of the proposed crossing structure conditions.
12. The NH Division of Historical Resources has reviewed the proposed project and determined that no historic or archeological properties will be affected per letter dated January 4, 2016.
13. The United States Department of the Interior Fish and Wildlife Service has determined there are no critical habitats located within the project area per letter dated November 30, 2016.
14. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").

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2017-00911

NH DEPT OF TRANSPORTATION

ROXBURY OTTER BROOK

Requested Action:

Replace a 39 foot two span bridge with a 60 foot single span bridge, re-align two intersections and widen roadway to provide minimum 4-foot shoulders along 2.1 miles of roadway impacting 180,304 sq. ft. (46,678 sq. ft. temporary) of palustrine and riverine wetlands. Compensatory mitigation includes a one-time payment of \$598,511.77 to the Aquatic Resource Mitigation Fund. NHDOT #10439.

Request a waiver of 120 day Aquatic Resource Mitigation Fund payment to be 240 days.

Inspection Date: 03/27/2017 by GINO E INFASCELLI

APPROVE PERMIT

Replace a 39 foot two span bridge with a 60 foot single span bridge, re-align two intersections and widen roadway to provide minimum 4-foot shoulders along 2.1 miles of roadway impacting 180,304 sq. ft. (46,678 sq. ft. temporary) of palustrine and riverine wetlands. Compensatory mitigation includes a one-time payment of \$598,511.77 to the Aquatic Resource Mitigation Fund. NHDOT #10439.

Request a waiver of 120 day Aquatic Resource Mitigation Fund payment to be 240 days.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 03/2017 noting Wetland Delineations revised 3/29/2017 as received by the Department on April 5, 2017.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
3. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
4. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Work shall be done during low flow.

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15. As invasive species are encountered during construction, the contractor will follow the appropriate procedures outlined in NHDOT's Best Management Practices for Roadside Invasive Plants, dated 2008 to ensure proper handling and disposal.
16. This approval is not valid until DES receives a one-time payment of \$954,706.95 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 240 days of the date of this approval letter, DES will deny the application.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) and (i) alteration of more than 20,000 sq. ft. of non-tidal wetlands and more than 200 linear feet of impacts to streams and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was presented and coordinated during six different Natural Resource Agency meetings held between Oct. 20, 1999 and Feb. 15, 2017. Where mitigation could not occur within the project area the remainder would be through the Aquatic Resource Mitigation (ARM) Fund.
6. On March 7, 2017 the DES and DOT met to discuss the project as it related to jurisdictional areas and the requirements for mitigation. Photographs were provided of the project area and the DES expressed concerns with the location of the ordinary high water and top of bank determinations shown on the plans. The DOT was to review these lines on site and the DES offered to help with the inspection. Also during the meeting it was determined that mitigation would not be required for impacts that would meet the Routine Roadway and Railway Maintenance manual and ditch lines areas where wetland vegetated channels would be relocated and revegetated.
7. On March 27, 2017 the DES conducted a pre-application field inspection with the DOT using plans dated 11/2016 and found flagging delineating the "Top of Bank and Ordinary High Water line" in one foot deep of water. The same style flagging was also found three feet above the water level further downstream on the day inspected. The top of bank line was a concern in many locations and DES requested the plans be corrected.
8. On April 5, 2017 an application for the project was received by DES.
9. On July 25, 2017 the DES was notified by email that the 30 in. culvert at Valley Rd. would be replaced with a 48 in. culvert instead of the 42 in. shown on the plans.
10. On July 28, 2017 the DES notified the DOT of discrepancies found in the calculated impacts as they relate to the mitigation color coded chart provided and requested concurrence with the suggested totals for mitigation compensation. The DOT agreed with the DES for impacts within the town of Roxbury and provided a new sheet calculating the ARM fund payment proposed.
11. No comments have been submitted to the file since the application was received.
12. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
13. The roadway in the vicinity of Otter Brook Bridge will be raised approximately 7 feet to accommodate the 100 year flood volume.

Mitigation:

14. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.
15. The total permanent impacts of 133,626 sq. ft. includes 7,537 linear feet of stream channel and banks.
16. The applicant has reviewed on-site options for mitigation and the department has determined that a portion of this project that is not being mitigated is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund to compensate for the wetland areas not being replaced or not previously impacted by the existing roadway.
17. The mitigation calculation for the Aquatic Resource Mitigation fund includes 50 linear feet of river channel credit for removing the center pier of the existing bridge.
18. The payment calculated for the proposed wetland loss equals \$598,511.77.
19. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

2017-01301

LAWRENCE, DANIEL

TUFTONBORO LAKE WINNIPESAUKEE

07/31/2017 to 08/06/2017

Requested Action:

Impact 200 square feet of lake bed in order to relocate 9 rocks approximately 20 feet northerly of their respective locations to improve navigational access to an existing pier on an average of 124 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

Conservation Commission/Staff Comments:

5/9/17 Per DHR, no historic properties affected.

5/24/17 ConCom defers application to Wetlands Bureau.

APPROVE PERMIT

Impact 200 square feet of lake bed in order to relocate 9 rocks approximately 20 feet northerly of their respective locations to improve navigational access to an existing pier on an average of 124 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 17, 2017, and received by DES on July 28, 2017.
2. Each rock shall be relocated not more than 20 feet northerly of its pre-existing location. The rocks shall not be piled in a single location but rather shall remain distributed through the north portion of the cove.
3. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), dredge of less than 20 cubic yards of material within public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01369

ODONNELL, MARK/SUSAN

LACONIA WINNISQUAM LAKE

Requested Action:

Impact 28 square feet of bank to construct a 7 ft. x 4 ft. concrete pad and install a 6 ft. x 40 ft. seasonal pier, a seasonal boatlift, and two seasonal personal watercraft lifts leeward of an existing 50 ft. curved breakwater and 4 ft. x 47 ft. cantilevered pier on an average of 197 feet of frontage on Lake Winnisquam in Laconia.

Conservation Commission/Staff Comments:

Per DHR, no historic properties affected.

APPROVE PERMIT

Impact 28 square feet of bank to construct a 7 ft. x 4 ft. concrete pad and install a 6 ft. x 40 ft. seasonal pier, a seasonal boatlift, and two seasonal personal watercraft lifts leeward of an existing 50 ft. curved breakwater and 4 ft. x 47 ft. cantilevered pier on an average of 197 feet of frontage on Lake Winnisquam in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 23, 2017, as received by DES on July 31, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the seasonal pier shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 482.35).
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of docking facilities associated with a breakwater.
 2. The applicant has an average of 197 feet of shoreline frontage along Lake Winnisquam.
 3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
 4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnisquam a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2017-01788

AMERICAN YOUTH FOUNDATION

CENTER TUFTONBORO DAN HOLE POND

Requested Action:

Install a 5 ft. x 70 ft. seasonal pier with a 5 ft. x 20 ft. finger pier and a 5 ft. x 25 ft. walkway to a 5 ft. x 25 ft. finger pier to the west of an existing 4 ft. x 39 ft. seasonal pier with a 4 ft. x 45 ft. "T" and a 4 ft. x 10 ft. finger pier on 3,500 feet of frontage along Dan Hole Pond in Tuftonboro.

APPROVE PERMIT

Install a 5 ft. x 70 ft. seasonal pier with a 5 ft. x 20 ft. finger pier and a 5 ft. x 25 ft. walkway to a 5 ft. x 25 ft. finger pier to the west of an existing 4 ft. x 39 ft. seasonal pier with a 4 ft. x 45 ft. "T" and a 4 ft. x 10 ft. finger pier on 3,500 feet of frontage along Dan Hole Pond in Tuftonboro.

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With Conditions:

1. All work shall be in accordance with plans by Scott Bailey dated March 21, 2012, as received by DES on July 28, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
7. No portion of the pier shall extend more than 70 feet from the shoreline at full lake elevation.
8. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
 2. The applicant has an approximately 3,500 feet of shoreline frontage along Dan Hole Pond.
 3. A maximum of 47 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
 4. The existing and proposed docking facilities will provide approximately 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Dan Hole Pond a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2017-00329

FIBIGER, JOHN

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Install a 6 ft. x 35 ft seasonal pier and 6 ft. x 6 ft. access ramp 12 feet south of an existing 6 ft. x 35 ft crib pier on an average of 323 feet of frontage along Lake Winnepesaukee in Moultonborough.

Conservation Commission/Staff Comments:

2/6/17 CON. COM. HAS NO OBJECTIONS TO ISSUANCE OF THE PERMIT.

APPROVE PERMIT

Install a 6 ft. x 35 ft seasonal pier and 6 ft. x 6 ft. access ramp 12 feet south of an existing 6 ft. x 35 ft crib pier on an average of 323 feet of frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Don T Carey as revised July 28, 2017, and received by DES on August 1, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of

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RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.

7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.

8. No portion of the piers shall extend more than 35 feet from the shoreline at full lake elevation (Elev. 504.32).

9. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of docking facilities so as to provide 3 slips.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has an average of 323 feet of shoreline frontage along Lake Winnepesaukee.

6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.

7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2017-00668

WAXMAN PERSONAL RESIDENCE TRUSTS -2012

NEWBURY SUNAPEE LAKE

Requested Action:

Applicant requests that the permit be amended to relocate the docking structures 35 feet to the northeast of the originally approved location.

Conservation Commission/Staff Comments:

3/10/17 Per DHR, no historic properties affected.

3/13/17 - Received phone call from concerned abutter Phil Barr (401) 524-2970. Phil will submit comments in writing to the file. CDR

APPROVE AMENDMENT

Amend permit to read: Construct a 6 ft. x 26 ft. crib pier and a 6 ft. x 43 ft. crib pier connected by a 6 ft. x 10 ft. walkway in an "h" configuration and install a seasonal boatlift and two seasonal personal watercraft lifts on an average of 280 feet of frontage along Lake Sunapee, in Newbury.

With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction as revised July 26, 2017, as received by DES on July 27, 2017.

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work

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site has returned to normal clarity.

6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. Cribbs shall not exceed 6 feet long by 6 feet wide, and shall be of sufficient height to support the docking structure above operating lake level (Elev. 1093.15).
9. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast.
10. The minimum clear spacing between cribs shall be 12 feet.
11. No portion of the docking structures shall extend more than 43 feet from the shoreline at operating lake level (Elev. 1093.15).
12. All seasonal watercraft lifts shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction of a 3 slip, permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 280 feet of shoreline frontage along Lake Sunapee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The Applicant has submitted documentation showing that the NH Natural Heritage Bureau has determined the the proposed dock location is not suitable habitat for American water-awlwort.
9. The Applicant has chosen to remove the proposed seasonal canopy from the project in order to address the abutting property owner's concerns about the visual impact of the proposed structures.

2017-00759

EAST WOOD PROPERTIES LLC

CHESTERFIELD SPOFFORD LAKE

Requested Action:

Remove 17.7 cubic yards of breakwater fill from 713 square feet of lakebed, repair 15 linear feet of stone retaining wall in kind, repair 23 linear feet of concrete retaining wall and walkway in kind, and repair and lower, 52 linear feet of concrete retaining wall and walkway on an average of 836 feet of frontage along Spofford Lake in Chesterfield.

Conservation Commission/Staff Comments:

3/21/17 Per DHR, no historic properties affected.

APPROVE PERMIT

Remove 17.7 cubic yards of breakwater fill from 713 square feet of lakebed, repair 15 linear feet of stone retaining wall in kind, repair 23 linear feet of concrete retaining wall and walkway in kind, and repair and lower, 52 linear feet of concrete retaining wall and walkway on an average of 836 feet of frontage along Spofford Lake in Chesterfield.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Land Use Consultants, LLC revised June 16, 2017, as received by DES on June 29, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES

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Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. The proposed stone patio shall not be constructed unless the patio is located on natural land and a Shoreland Impact Permit is obtained in accordance with RSA 483-B. No permit is required to repair the existing deck in kind.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged breakwater material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. Only existing rocks that have fallen from the wall shall be used for the stone wall repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. This permit does not allow dredging of the boat slip located under the residential structure.
13. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
14. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of less than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project as proposed will not increase the number of slips provided on the frontage.

2017-00854

KELCZEWSKI, JAMES

CENTER BARNSTEAD LOWER SUNCOOK LAKE

Requested Action:

Remove a 12 ft. x 19 ft. seasonal pier accessed by a 3 ft. x 10 ft. walkway and a 6 ft. x 16 ft. seasonal pier accessed by 4 ft. x 12 ft. walkway and install two 6 ft. x 30 ft. seasonal piers on 183 feet of frontage along Lower Suncook Lake in Barnstead.

APPROVE PERMIT

Remove a 12 ft. x 19 ft. seasonal pier accessed by a 3 ft. x 10 ft. walkway and a 6 ft. x 16 ft. seasonal pier accessed by 4 ft. x 12 ft. walkway and install two 6 ft. x 30 ft. seasonal piers on 183 feet of frontage along Lower Suncook Lake in Barnstead.

With Conditions:

1. All work shall be in accordance with plans received by DES on July 6, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

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3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. All portions of the pre-existing seasonal docking structures shall be completely removed prior to the installation of any new docking structure.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
9. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of docking facility providing 4 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has 183 feet of shoreline frontage along Lower Suncook Lake.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The existing docking facility provides 4 slips as defined per RSA 482-A:2, VIII.
8. The proposed docking facility will maintain the 4 slips as defined per RSA 482-A:2, VIII provided by the pre-existing structures.

2017-01977

CAMP NEOSHO TRUST, C/O MELLISA FULLERTON

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Remove an existing 4 ft. x 40 ft. piling pier and install a 6 ft. x 40 ft. seasonal pier hinged to boulders on an average of 101 feet of frontage along Lake Winnepesaukee in Gilford.

Conservation Commission/Staff Comments:

7/14/17: File number to remain; changed to a Standard Wetlands Permit; Agent will send in new form

APPROVE PERMIT

Remove an existing 4 ft. x 40 ft. piling pier and install a 6 ft. x 40 ft. seasonal pier hinged to boulders on an average of 101 feet of frontage along Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated June 20, 2017 as received by the NH Department of Environmental Services (DES) on July 21, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage.

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7. No portion of the structures shall extend more than 20 feet from the shoreline at full lake elevation.
8. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) modification of a permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed pier will more nearly conform to the 20 foot setback than the pre-existing pier.

MINIMUM IMPACT PROJECT

2012-02002

KALIL, BRENDA/CHARLES

DUMMER ANDROSCOGGIN RIVER

Requested Action:

Request permit time extension.

Conservation Commission/Staff Comments:

Dummer Conservation Commission signed the expedited application

APPROVE TIME EXTENSION

Fill 1,352 sq. ft. in palustrine forested wetlands to upgrade an existing woods road to provide better access to the Kalil & Son Fish & Game Farm.

With Conditions:

1. All work shall be in accordance with plans by Jonathan A. Sisson III dated July 11, 2012, as received by the NH Department of Environmental Services (DES) on July 30, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2017-00777

HENRY W GOSSELIN LIVING TRUST

SUCCESS SUCCESS POND

Requested Action:

Temporarily impact 1,141 square feet of lake bed and bank in order to construct a temporary coffer dam, replace 80 linear feet of dry stone retaining wall with pre-cast block wall and replace the foundation under an 11 ft. x 26 ft. dug in boathouse on 274 feet of frontage along Success Pond in Success.

Conservation Commission/Staff Comments:

Permission letter from abutter to conduct work within 20 ft. of the property line.
03/21/2017 - No historic properties affected per DHR.

APPROVE PERMIT

Temporarily impact 1,141 square feet of lake bed and bank in order to construct a temporary coffer dam, replace 80 linear feet of dry stone retaining wall with pre-cast block wall and replace the foundation under an 11 ft. x 26 ft. dug in boathouse on 274 feet of frontage along Success Pond in Success.

With Conditions:

1. All work shall be in accordance with plans by York Land Services, LLC date June 27, 2017, as received by DES on July 3, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
13. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
14. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. The use of the boathouse shall be limited to the storage of boats and boating-related accessories. 18. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

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With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of a retaining wall involving work in the water.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01431

BRETT W VAUGHN REVOCABLE TRUST

MONT VERNON

Requested Action:

Impact 2,370 square feet of forested wetland for the upgrade of Purgatory Road and construction of two (2) driveway crossings for access to buildable uplands on single-family residential lots as part of 9-lot subdivision of 88.79 acres.

APPROVE PERMIT

Impact 2,370 square feet of forested wetland for the upgrade of Purgatory Road and construction of two (2) driveway crossings for access to buildable uplands on single-family residential lots as part of 9-lot subdivision of 88.79 acres.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated September 21, 2016 and revised through 2/2/17 as received by the NH Department of Environmental Services (NHDES) Wetlands Program on August 3, 2017.
2. This permit is not valid unless septic system construction approvals or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. This permit is not valid and effective until it has been recorded with the Hillsborough County Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES by certified mail, return receipt requested.
4. Any further alteration of areas on these properties that are subject to RSA 482-A jurisdiction will require further permitting.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Work shall be done during low flow and in the dry only.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
11. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
12. The culvert inlets and outlets must maintain the natural and a consistent elevation and not impede stream flow.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be

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staged and refueled in upland areas only.

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary to upgrade Purgatory Road and provide access to the lots; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. One of the driveways will utilize an existing farm road crossing; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. No comments were submitted from the Mont Vernon Conservation Commission.

2017-01779

NEXTERA ENERGY SEABROOK LLC

SEABROOK TIDAL WETLAND / BROWNS RIVER

Requested Action:

Impact 3,500 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone to install a vehicle security barrier comprised of 2-foot wide by 10-foot long concrete (Kontek) blocks.

Conservation Commission/Staff Comments:

Request for expedited review per Policy 113.1.

APPROVE PERMIT

Impact 3,500 square feet (sq. ft.) within the previously-developed 100-foot tidal buffer zone to install a vehicle security barrier comprised of 2-foot wide by 10-foot long concrete (Kontek) blocks.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (NHDES) on July 31, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES Wetlands Program and the local Seabrook Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A and RSA 483-B jurisdiction will require further permitting.
4. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
5. No more than 0.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

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8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. On July 26, 2017, NHDES received a request for an expedited review of the wetlands and shoreland permit applications for the project.
2. In a letter dated July 27, 2017, NHDES Commissioner, Robert R. Scott stated, "NHDES will expedite the processing of these applications as the proposed project will further an important public interest by promoting economic development and improving environmental conditions and no pending applications will be unreasonably disadvantaged."
- 3 This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
4. The impacts are necessary to comply with the safety requirements of the Nuclear Regulator Commission; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The impacts will occur within the previously-developed 100-foot tidal buffer zone; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. The Seabrook Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

EXPEDITED MINIMUM

2012-00520

HALSTEAD, CAROLYN

MILFORD Unnamed Wetland

Requested Action:

Applicant requests extension of permit expiration date.

Conservation Commission/Staff Comments:

See findings.

APPROVE TIME EXTENSION

Dredge and fill 1,500 square feet of forested wetland to upgrade an existing woods road to construct a driveway and install a 15-inch by 30-foot HDPE culvert for access to a single family residential dwelling on approximately 2.817 acres as part of a 2-lot subdivision of 5.552 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Fieldstone Land Consultants, PLLC:
 - a.) The 'Minimum Impact Expedited Wetland Permit Plan' (Sheet 1 of 1) dated July 6, 2011, as received by the NH Department of Environmental Services (DES) on May 5, 2012; and,
 - b.) The 'Subdivision Plan' (Sheet 1 of 1) July 11, 2012, as received by the NH Department of Environmental Services (DES) on May 25, 2012
2. DES Southeast Region staff (Portsmouth office) shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during seasonal low flow conditions.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2017-01641

BAKER, STEVEN

NEW HAMPTON Unnamed Wetland

Requested Action:

Applicant requests that the permit be amended to allow for the installation of 10 additional feet of culvert length.

APPROVE AMENDMENT

Amend permit to read: Impact 430 square feet along 36 linear feet of intermittent stream channel to install 30 linear feet of elliptical (38 in x 57 in) CMP culvert, place fill, and construct headwalls to provide driveway access on a residential lot.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC revised May 8, 2017, and revised July 2, 2017, as received by the NH Department of Environmental Services (DES) on July 25, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

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4. Work shall be done during low flow.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. The channel at the culvert inlet and outlet must maintain the natural and consistent streambed elevation and shall neither impede, nor increase the velocity of, stream flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01749

299 VAUGHAN ST LLC

PORTSMOUTH NORTH MILL POND

Requested Action:

Impact a total of 2,705 square feet in the developed upland tidal buffer zone, including 1,935 square feet of permanent impact and 770 square feet of temporary impact, associated with redevelopment of an existing commercial lot adjacent to the North Mill Pond in Portsmouth for construction of a hotel.

APPROVE PERMIT

Impact a total of 2,705 square feet in the developed upland tidal buffer zone, including 1,935 square feet of permanent impact and 770 square feet of temporary impact, associated with redevelopment of an existing commercial lot adjacent to the North Mill Pond in Portsmouth for construction of a hotel.

With Conditions:

1. All work shall be in accordance with plans by Tighe and Bond dated March 1, 2017, revised through July 19, 2017, as received by the NH Department of Environmental Services (DES) on June 16, 2017 and July 19, 2017 respectively.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Excavated materials shall be disposed of outside of areas subject to RSA 482-A jurisdiction

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (b) projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project involves redevelopment of an existing urbanized lot to construct a hotel.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The redevelopment of the lot includes reconstruction of an upgraded rain garden from that currently existing.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau occurring in the project vicinity.
5. The Portsmouth Conservation Commission signed the expedited application.

2017-01898

WHITE, MICHAEL

HAMPTON LITTLE RIVER SALT MARSH

Requested Action:

Impact 737 square feet within the previously-developed 100-foot tidal buffer zone for the replacement of the deck, repaving of the existing drive and walkway, and removal of existing paver walkways on a single family residential lot.

APPROVE PERMIT

Impact 737 square feet within the previously-developed 100-foot tidal buffer zone for the replacement of the deck, repaving of the existing drive and walkway, and removal of existing paver walkways on a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (NHDES) Wetlands Program on July 6, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
8. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
9. Erosion control products shall be installed per manufacturers recommended specifications.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Hampton Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-01965

GAGNON, ADRIENNE/TRAVIS

CENTER BARNSTEAD Unnamed Wetland

Requested Action:

Dredge and fill 328 square feet of wetlands and install two 12" x 18' foot culverts for construction of a driveway crossing to a single family residential lot.

APPROVE PERMIT

Dredge and fill 328 square feet of wetlands and install two 12" x 18' foot culverts for construction of a driveway crossing to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental and Prospect Mountain Survey dated 6/29/2017, as received by the NH Department of Environmental Services (DES) on 7/5/2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-WVq 1000 is achieved.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. Work shall be done during low flow and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Dredged materials shall be disposed of outside of areas subject to RSA 482-A jurisdiction

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The wetland runs across the entire width of the lot making it necessary to cross at some point to reach buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau occurring in the project vicinity.
5. The Center Barnstead Conservation Commission signed the expedited application.

PERMIT BY NOTIFICATION

2017-01578

NEW DURHAM, TOWN OF

NEW DURHAM MERRYMEETING LAKE

Requested Action:

Replenishment of beach with no more than 10 cubic yards of new sand according to plans received by NHDES on July 24, 2017 on frontage along Merrymeeting Lake in New Durham.

PBN IS COMPLETE

Replenishment of beach with no more than 10 cubic yards of new sand according to plans received by NHDES on July 24, 2017 on frontage along Merrymeeting Lake in New Durham.

2017-02094

KEENAN, R GREGORY

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Repair and replacement in-kind of existing 6 ft. X 40 ft. piling dock, two ice clusters, and three tie-off piles according to plans by Watermark Marine Construction dated May 22, 2017 along frontage on Lake Winnepesaukee in Meredith.

PBN IS COMPLETE

Repair and replacement in-kind of existing 6 ft. X 40 ft. piling dock, two ice clusters, and three tie-off piles according to plans by Watermark Marine Construction dated May 22, 2017 along frontage on Lake Winnepesaukee in Meredith.

2017-02118

ROSS, ALLAN

WOLFEBORO RUST POND

Requested Action:

Repair in kind of an existing concrete docking anchor according to plans received by NHDES on July 25, 2017 along frontage on Rust Pond in Wolfeboro.

PBN IS COMPLETE

Repair in kind of an existing concrete docking anchor according to plans received by NHDES on July 25, 2017 along frontage on Rust Pond in Wolfeboro.

2017-02209

BATES, SUSANNE/THOMAS

WESTMORELAND Unnamed Stream

FORESTRY NOTIFICATION

2017-02225

THE LEWIS S LACLAIR REVOCABLE TRUST

ALSTEAD Unnamed Stream

Requested Action:

Forestry (Alstead Tax Map # 63, Lot # 3)

COMPLETE NOTIFICATION

Forestry (Alstead Tax Map # 63, Lot # 3)

2017-02226

URSA MAJOR LLC

MILLSFIELD Unnamed Stream

COMPLETE NOTIFICATION

MILLSFIELD, TAX MAP #M1-620, LOT #002

2017-02234

THE ARTHUR HEMBROUGH FAMILY TRUST

FRANKLIN Unnamed Stream

Requested Action:

Forestry (Franklin Tax Map # 22, Lot # 401)

COMPLETE NOTIFICATION

Forestry (Franklin Tax Map # 22, Lot # 401)

2017-02238

THE ARTHUR HEMBROUGH FAMILY TRUST

SALISBURY Unnamed Stream

Requested Action:

Forestry (Salisbury Tax Map # 252, Lot # 001 & 003)

COMPLETE NOTIFICATION

Forestry (Salisbury Tax Map # 252, Lot # 001 & 003)

2017-02252

BIRDSEY, MARGARET

GILMANTON Unnamed Stream

Requested Action:

Gilmanton, Tax Map #418, Lot #44 & 45

2017-02261

BAYROOT LLC

DUMMER Unnamed Stream

COMPLETE NOTIFICATION

Dummer; Tax Map #R1, Lot #2

2017-02288

HAMPSHIRE TIMBER HOLDINGS LLC

CHESTERFIELD Unnamed Stream

Requested Action:

Forestry (Chesterfield, Tax Map # 19, Lot # A4)

COMPLETE NOTIFICATION

Forestry (Chesterfield, Tax Map # 19, Lot # A4)

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2017-02290

HAMPSHIRE TIMBER HOLDINGS LLC

SWANZEY Unnamed Stream

Requested Action:

Swanzy, Tax Map 83, Lot 6

COMPLETE NOTIFICATION

Swanzy, Tax Map 83, Lot 6

2017-02298

MEADOWSEND TIMBERLANDS LTD

SWANZEY Unnamed Stream

Requested Action:

Forestry (Swanzy Tax Map # 47 & 48, Lot # 1 & 1)

COMPLETE NOTIFICATION

Forestry (Swanzy Tax Map # 47 & 48, Lot # 1 & 1)

2017-02310

GOFFSTOWN VILLAGE WATER PRECINCT

GOFFSTOWN Unnamed Stream

Requested Action:

Goffstown, Tax Map #1, Lot #38

2017-02311

SOCIETY FOR THE PROTECTION OF NH FORESTS

LEMPSTER Unnamed Stream

COMPLETE NOTIFICATION

LEMPSTER, TAX MAP #226, LOT #16

TRAILS NOTIFICATION

2017-02115 US ARMY CORPS OF ENGINEERS

KEENE UNNAMED WETLANDS & PERENNIAL STREAMS

2017-02170 ERNST, FREDERICK

ACWORTH Unnamed Stream

2017-02294 STATE OF NH DNCR

WARREN Unnamed Stream

Requested Action:

Replace 2 cement culverts with 2 plastic culverts.

COMPLETE NOTIFICATION

Replace 2 cement culverts with 2 plastic culverts.

GOLD DREDGE

2017-02101 PIETRO, DENNIS

(ALL TOWNS) Unnamed Stream

2017-02275 RULE, KEVIN

(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIFICATION

2017-02250

DOLAN, RONALD

EAST WAKEFIELD BALCH POND

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 24 ft. on frontage along Balch Lake in Wakefield.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 ft. X 24 ft. on frontage along Balch Lake in Wakefield.

2017-02287

LEVESQUE, KAREN

NEW DURHAM CHALK POND

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 26 ft. on frontage along Chalk Pond in New Durham.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 ft. X 26 ft. on frontage along Chalk Pond in New Durham.

ROADWAY MAINTENANCE NOTIFICATION

2017-02263

NHDOT DISTRICT 6

EAST KINGSTON Unnamed Stream

2017-02295

TOWN OF ALTON

ALTON Unnamed Wetland

UTILITY NOTIFICATION

2017-02285

EVERSOURCE ENERGY

WILTON Unnamed Wetland

Conservation Commission/Staff Comments:
See file 2017-00047 for fee.

SHORELAND PERMIT

2016-03319

SUSAN J MOLIN REVOCABLE TRUST

NEW DURHAM MERRYMEETING LAKE

Requested Action:

Applicant requests that the permit be amend to cite revised plans showing that a portion of the pre-existing deck will instead be converted to open porch.

APPROVE AMENDMENT

Amend permit to read: Impact 1,963 sq. ft. of protected shoreland in order to construct a new septic system, drip-line infiltration trenches, and a drywell, and repair the foundation of the existing primary structure.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC as revised July 3, 2017 and received by the NH Department of Environmental Services (DES) on July 10, 2017.
2. The proposed septic system shall not be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. No more than 20.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. Native vegetation within an area of at least 2,625 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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11. The proposed drywell and infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. No impacts to natural ground cover shall occur within the waterfront buffer.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01997

WALSH, SHAWN

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Impact 1,161 square feet of protected shoreland in order to expand the existing foundation, replace the existing deck with an addition, and install stormwater management structures.

APPROVE PERMIT

Impact 1,161 square feet of protected shoreland in order to expand the existing foundation, replace the existing deck with an addition, and install stormwater management structures.

With Conditions:

1. All work shall be in accordance with plans by Yerkes Surveying Consultants dated July 7, 2017 and received by the NH Department of Environmental Services (NHDES) on July 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 21.53% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the proposed structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that

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any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01999

FARRELL, DAWN/STEPHEN

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Impact 5,512 square feet of protected shoreland in order to construct a garage, driveway, walkway and conduct associated re-grading.

APPROVE PERMIT

Impact 5,512 square feet of protected shoreland in order to construct a garage, driveway, walkway and conduct associated re-grading.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering, Inc. dated July 6, 2017 and received by the NH Department of Environmental Services (DES) on July 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 25.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,400 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02001

LENTINE, FRANK

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 1,816 square feet (SF) of protected shoreland in order to construct a 24 ft. x 28 ft. garage with apartment above, with an 8 ft. x 10 ft. deck and steps and to install foundation drains around existing cottage.

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APPROVE PERMIT

Impact 1,816 square feet (SF) of protected shoreland in order to construct a 24 ft. x 28 ft. garage with apartment above, with an 8 ft. x 10 ft. deck and steps and to install foundation drains around existing cottage.

With Conditions:

1. All work shall be in accordance with plans by Yerkes Surveying Consultants dated July 7, 2017 and received by the NH Department of Environmental Services (DES) on July 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,622 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02011

GREENAWALT, BETH

NEW LONDON MESSER POND

Requested Action:

Impact 9,060 square feet (SF) of protected shoreland in order to amend the existing Shoreland Impact Permit 2016-00272, to construct a new residential dwelling with a well, septic system, driveway and landscape improvements. Overall increase in impervious surfaces is 6,670 SF for a total post construction impervious area of 14% of lot.

APPROVE PERMIT

Impact 9,060 square feet (SF) of protected shoreland in order to amend the existing Shoreland Impact Permit 2016-00272, to construct a new residential dwelling with a well, septic system, driveway and landscape improvements. Overall increase in impervious surfaces is 6,670 SF for a total post construction impervious area of 14% of lot.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard, and Associates dated March 13, 2016 and received by the NH Department of Environmental Services (DES) on July 10, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 11.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 8,692 SF within the Natural Woodland Buffer located between 50 and 150 feet

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landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02028

JENSENS INC

NASHUA NASHUA RIVER

Requested Action:

Impact 7,403 square feet (SF) of protected shoreland in or to replace a damaged primary structure with a new 28 ft. x 44 ft., 2 bedroom, primary structure and install a new septic system and tank.

APPROVE PERMIT

Impact 7,403 square feet (SF) of protected shoreland in or to replace a damaged primary structure with a new 28 ft. x 44 ft., 2 bedroom, primary structure and install a new septic system and tank.

With Conditions:

1. All work shall be in accordance with plans by M. J. Grainger Engineering, Inc. dated June 1, 2017 and received by the NH Department of Environmental Services (DES) on July 12, 2017.

2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.

3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02061

THE COUNTRY ROAD REVOCABLE TRUST OF 2016

NEWBURY SUNAPEE LAKE

07/31/2017 to 08/06/2017

Requested Action:

Impact 31,855 square feet (SF) of protected shoreland in order to remove and reconstruct of a portion of the existing primary structure, conduct associated landscape and site improvements, creates a temporary 12 foot access to boathouse area and upgrade utilities.

APPROVE PERMIT

Impact 31,855 square feet (SF) of protected shoreland in order to remove and reconstruct of a portion of the existing primary structure, conduct associated landscape and site improvements, creates a temporary 12 foot access to boathouse area and upgrade utilities.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated July 12, 2017 and received by the NH Department of Environmental Services (DES) on July 13, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 5.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 39,570 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02253

NEXTERA ENERGY SEABROOK LLC

SEABROOK BROWNS RIVER

Requested Action:

Impact 4,580 sq. ft. within the protected shoreland to install a vehicle security barrier comprised of 2-foot wide by 10-foot long concrete (Kontek) blocks.

07/31/2017 to 08/06/2017

APPROVE PERMIT

Impact 4,580 sq. ft. within the protected shoreland to install a vehicle security barrier comprised of 2-foot wide by 10-foot long concrete (Kontek) blocks.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (NHDES) on July 31, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES Wetlands Program and the local Seabrook Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A and RSA 483-B jurisdiction will require further permitting.
4. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
5. No more than 0.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.